

## FAILURE TO MAKE DISCLOSURE OR COOPERATE IN DISCOVERY: SANCTIONS

### 37.01: *Motion to Compel Discovery.*

- (A) *Timeliness of Motion.* Motions to compel discovery must be filed within twenty (20) days after receipt of the discovery response to which the motion to compel is directed or, where no response has been received, within twenty (20) days after the response was due. If counsel are actively engaged in attempts to resolve the discovery dispute, they may agree to extend the time to comply with the discovery request so long as the extension does not place the due date beyond thirty (30) days before the deadline for completion of discovery as set by the scheduling order. *See also* Local Civil Rule 29.01 (Modifications of Discovery Procedure). This extension will automatically extend the deadline for the motion to compel by an equal amount of time. The extension shall be confirmed in writing. In the event a later motion to compel is filed, the correspondence confirming the extension shall be attached.
- (B) *Memoranda and Hearings.* Motions to compel discovery shall be filed in compliance with Local Civil Rule 7.04. The relevant discovery requests and responses, if any, shall be filed as supporting documentation. Motions to compel may be heard at the discretion of the Court.

### 37.02: *Sanctions.*

[Deleted effective December 1, 2000]